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Remarks/Arguments

1. Introduction

Claims 18, 22, 28, and 32-50 are currently pending in the application. Claims 18, 22, 28, and 32-37 are amended herein to clarify the claim language. Claims 17, 19-21, 23-27, and 29-31 are cancelled. Claims 38-50 are new. All amended and new claims are fully supported by the specification such that no new matter has been added for prosecution. For at least the reasons stated below, Applicant asserts that all claims are now in condition for allowance, and respectfully requests that a notice of allowance be issued.

2. Claim Rejections Pursuant to 35 U.S.C. § 112

Claims 17, 18, 21-23, 26-28, and 31-37 are rejected pursuant to 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement, and pursuant to 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response, Applicant amended the claims submitted, and propounded additional new claims, to cure the alleged deficiencies. Accordingly, Applicant asserts that the rejections pursuant to 35 U.S.C. § 112, first and second paragraph, are moot, and respectfully requests withdrawal of the rejections.

3. Claim Rejections Pursuant to 35 U.S.C. § 101

Claims 22, 23, 26-28, 31, and 34-37 are rejected pursuant to 35 U.S.C. § 101 as being directed to non-statutory subject matter. Specifically, it was alleged that the language of the claims detailed software *per se* and was unpatentable. In response, Applicant amended the claims submitted, and propounded additional new claims, to cure the alleged deficiencies. Accordingly, Applicant asserts that the rejection pursuant to 35 U.S.C. § 101 are moot, and respectfully requests withdrawal of the rejection.

4. Claim Rejections Pursuant to 35 U.S.C. § 103

Claims 17, 18, 21-23, 26-28, and 31-37 are rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Sekizawa, U.S. Patent No. 6,430,711 B1 (hereinafter "Sekizawa") and Haluska, U.S. Patent No. 5,638,519 (hereinafter "Haluska"). In response, Applicant amended the claims and propounded additional new claims to cure the alleged

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deficiencies. Accordingly, Applicant asserts that the rejection pursuant to 35 U.S.C. § 103(a) are moot, and respectfully requests withdrawal of the rejection.

**A. Independent claims 38, 44, and 55 are not obvious in light of
Sekizawa and *Haluska***

Assuming *arguendo* that the amendments to the claims fail in themselves to overcome the propounded rejections, *Sekizawa* fails to disclose or suggest application of a manager of the e-commerce supply chain environment that performs maintenance activities on the e-commerce supply chain environment, as disclosed in claims 38, 44, and 50. *Sekizawa* Figure 1 illustrates the communication channels between the console unit 20, the agent units 10, and the mail server 19. Clearly from this arrangement, information is transferred unidirectionally, from the plurality of agent units 10 through the mail server 19, and on to the console unit 20. See Fig. 1; col. 19, ll. 15-35 (describing interaction between the separate computer platforms). Clear from the disclosure in *Sekizawa* is that the central routing computer, the mail server 19, *acts as a conduit through which information is passed unidirectionally*, and arguably, although not conceded, bidirectionally. Mail server 19, however, fails to perform any maintenance or other service of the network; it solely acts as a compiling station of email information sent on to the console unit 20. This limited activity distinguishes it from the present invention, and fails to teach or suggest the limitations described in the present claims.

In comparison, the present invention discloses an e-commerce supply chain environment in which a manager of the environment operates to perform maintenance on the environment. Drawing 2 discloses an e-commerce environment in which transactions are performed independent of any system maintained by any user of the e-commerce supply chain system. As part of the functionality of the e-commerce environment, a separate manager of the e-commerce supply chain environment exists that, in part, performs maintenance and service 216 of the environment, as depicted in Drawing 6. This distinction is claimed in not only the preamble (claiming a method, system, and computer program that provides functionality for an e-commerce supply chain environment manager) but also parts (a) and (b) of the independent claims in which users of the e-commerce supply chain environment submit information to the environment manager on which the manager may act. See claims 38, 44, and 50. Upon receipt of such information from users of the system, the environment manager performs activities and transmits information back to the users. See *id.* This activity by the environment manager clearly distinguishes the

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claimed invention from *Sekizawa*, in which the neither the counsel unit 20 nor mail server 19 act in such a capacity. Moreover, *Sekizawa* and *Haluska* fail to teach or suggest such orientation because neither reference alone or in combination fail to disclose any type of an environment manager.

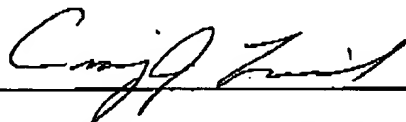
B. The Remaining Dependent Claims Are Also in Condition for Allowance

Applicant also submits that the rejections of dependent claims 22, 28, and 32-37 should be withdrawn as they depend on independent claims 38, 44, and 50, which are in condition for allowance. "If an independent claim is nonobvious under 35 U.S.C. [§] 103, then any claim depending therefrom is nonobvious." MPEP § 2143.03, ¶ 1. Because independent claims 38, 44, and 50 are nonobvious, the claims depending from them are likewise nonobvious. Applicant submits that all independent claims are in condition for allowance, the rejection of such dependent claims is improper, and Applicant respectfully requests the rejections be withdrawn.

5. Conclusion

Applicant submits that for at least the reasons stated above, all pending claims are allowable over the art of record and respectfully requests reconsideration and that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (612) 607-7387. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Docket 60021-336701).

Respectfully submitted,



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